IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.984 OF 2004

Saad Ahmed Mogaddam ...Petitioner
Vs.
S.M.Nikam & Ors. ...Respondents

Mr.P.I.Paulos i/b. Sanjay Udeshi & Co. for Petitioner
Mr.V.B.Kondedeshmukh, A.P.P for the State

CORAM: SMT. ROSHAN DALVI
(VACATION JUDGE)
DATED: 1ST NOVEMBER, 2006

P.C.

1. The Petitioner challenges the process issued by the Magistrate in a proceeding under Equal Remuneration Act and Payment of Wages Act. The Petitioner was then a foreigner and a Manager of Saudi Arabian Airlines. He has since been transferred to Jakarta. The Petition has been disposed of directing the Petitioner to file a revision against the order issuing in process. The revision is not filed.

2. The Petitioner as a foreigner is unable to attend to his matters in India. The time for filing a revision has already expired. The Petitioner requires only to present his defence

on merits in the trial Court. The Petitioner shall be exempted from personal appearance in the trial Court on the condition that he is represented by his Advocate. The Petitioner shall make whatever application or present whatever defence on merits that he is advised to make through his Advocate.

3. Consequently the application for extension of time to file revision is rejected with the above directions.

(SMT.ROSHAN DALVI, J.)